

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

At Beckley

IN RE MASSEY ENERGY CO.
SECURITIES LITIGATION

Civil Action No. 5:10-cv-00689

STIPULATION

It is hereby stipulated and agreed between lead plaintiff Commonwealth of Massachusetts Pension Reserves Investment Trust, plaintiff David Wagner, and defendants Alpha Appalachia Holdings, Inc. f/k/a Massey Energy Company, Don L. Blankenship, Baxter Philips, Jr., Eric B. Tolbert, J. Christopher Adkins, Richard M. Gabrys, Lady Barbara Thomas Judge, E. Gordon Gee, Dan R. Moore, James B. Crawford, Robert H. Foglesong, and Stanley C. Suboleski (collectively "Defendants") that the time within which Defendants may answer the Consolidated Amended Class Action Complaint for Violation of the Federal Securities Laws is extended to and including June 18, 2012.

Stipulated and agreed this 5th day of April, 2012.

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CERTIFICATE OF SERVICE

I, Jonathan L. Anderson, hereby certify that on April 9, 2012, I electronically filed the foregoing *Stipulation* with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants:

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